



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: David Arlasky ]  
Serial No. 10/623,960 ]  
For ROTATABLE PROPELLER ]  
DRIVEN ENGINE EXHAUST SYSTEM ]  
Filed: 17 July 2003 ]

DECLARATION OF FRANK ARLASKY

Frank Arlasky on oath declares that:

1. He is president of Arlasky Performance Inc., the licensee of the inventor David Arlasky in the above identified application, and he is the son of David Arlasky. Declarant is fully familiar with the structure of the device disclosed in the above identified patent application.
2. Arlasky Performance Inc. (a/k/a Zoomers Exhaust) is engaged in the manufacture and sale of devices embodying the invention disclosed and claimed in said application.
3. In his capacity as president of Arlasky Performance Inc. he authorized comparative dynamometer testing by independent testing agencies of certain vehicles.

as follows:

- a. Chevy Tahoe on October 17, 2003, by EvoSport;
- b. 2001 Ford Expedition XLT on October 17 and 28, 2003 by EvoSport;
- c. 2003 Chevy Avalance on October 17 and 3, 2003 by EvoSport;
- d. 2004 Dodge Ram 1500 Hemi Magnum on July 8 and 26, 2004 by XS Engineering, Inc.



4. In each case, the vehicle was tested on a conventional dynamometer and was first tested with its original equipment exhaust system and thereafter the original equipment exhaust systems was removed and an exhaust system of the kind as disclosed and claimed in the above application was installed and tested by the respective agency name in Par. 3 hereof..

5. The respective agencies recorded the results of their dynamometer tests in graph form and the test result graphs were provided to Declarant and are appended to this Declaration as Exhibits A - D, respectively. The red line on the graph indicates the results of the original vehicle exhaust system and the blue line represents the results of applicant's Zoomers exhaust system embodying the present invention. The said agencies are recognized in California and well know as experts in vehicle performance. The expertise background of these agencies can be learned on their respective websites, as follows:

a.. Evosport, see "<http://www.evosport.com/about.html>".

b. XS Engineering, Inc., see "[http://www.xs-engineering.com/about\\_main.htm](http://www.xs-engineering.com/about_main.htm)".

6. The test result graphs and reports of the said testing agencies show that the exhaust systems embodying the present invention provided more power (between 15 to 25 hp) and more torque (between 14 to 24 lb/ft) and better gas mileage (between 2 to 3 miles per gallon) than the conventional exhaust systems in the tested vehicles.

7. The original exhaust systems in said tested vehicles each comprised a pipe leading from a conventional automobile internal combustion engine in flow communication with one end of a



chamber and about the cross section of the inlet pipe. None of these conventional exhaust systems had a propeller or vortex device at the inlet to the expansion chamber to cause a swirling flow of gases drawn from the inlet and accelerated through the expansion chamber and out of the outlet pipe.

8. Declarant has received testimonials from customers consistent with the test results referred to in Par. 6 above, and three such testimonials are attached to this Declaration, all referred to exhaust systems embodying the present invention:

Exhibit E, a letter dated November 22, 2004, from Bob Burleson, CPA;

Exhibit F, a letter dated November 22, 2004, from Jon Derbyshire, service manager at Huntington Beach Dodge; and

Exhibit G, a letter dated October 28, 2003, from Meguiar's (an internationally know supplier of automotive products).

The undersigned, being warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the above identified application or any resulting patent, hereby declares that the foregoing statements are accurate and true according to the best of his knowledge and belief.

A handwritten signature in black ink, appearing to read "Frank Arlasky".

Frank Arlasky



**Certificate of Mailing via Express Mail**

**Receipt No. ED 030172432 US Mailed December 6, 2004**

**Re: US Patent Application SN 10/623,960  
Applicant: David Arlasky  
ROTATABLE PROPELLER DRIVEN  
ENGINE EXHAUST SYSTEM  
Filed 17 July 2003**

|  
|  
|  
|

**I certify this envelop containing the above identified Amendment A and Declaration of Frank Arlasky with Exhibits A-G is being mailed via US Express Mail, Receipt No. ED 030172432 US Mailed December 6, 2004, postage prepaid, in accordance with the Rules, on 6 December 2004, and is entitled to a filing date of 6 December 2004.**

**Respectfully,**



**MARTIN FAIER,  
Attorney**

**Faier & Faier, P.C.  
566 W. Adams St. #600  
Chicago, IL. 60661  
Phone: 312/382-9500  
Fax: 312/382-9200  
Email: mmfaier@faier.com**

**Dated: December 6, 2004**

DYNORUN.003 Zoomers RO 10/09/03 11:43:20 PM  
 DYNORUN.002 Stock Baseline 1,2,3 RO 10/17/03 12:13:40 PM

MPH 69.53  
 350

350

DYNORUN.003 Max POWER= 253.4  
 DYNORUN.002 Max POWER= 250.0  
 Max TORQUE= 282.0  
 Max TORQUE= 274.5

300

250

SAFE TORQUE (ft-lbs)

200

150

100

50

0

0

10

20

30

40

50

60

70

80

90

100

110

120

Speed (MPH)

Chevy Tahoe

DYNORUN.003 ZOOMERS RO 10/17/03 12:43:20 PM  
 ZOOMERS

DYNORUN.002 Stock Baseline RO 10/17/03 12:43:20 PM  
 Landing Compalitor

BEST-AVAILABLE COPY



DYNORUN.003 2003 Expedition XLT  
DYNORUN.004 2001 Expedition XLT

Zoomers 10/28/03 12:29:44 PM  
Stock 10/17/03 11:55:48 AM

EvoSport - 714.731.6040

MPH 67.29  
350

350

DYNORUN.003 MAX POWER: 229.9  
DYNORUN.002 MAX POWER: 210.0

Max TORQUE: 300.4  
Max TORQUE: 301.6

300

260.1  
219.7  
195.8

250

284.6

SAE Horsepower

SAE TORQUE (ft-lbs)

200

150

100

50

0

0

0

10

20

30

40

50

60

70

80

90

100

110

120

Speed (MPH)

BEST AVAILABLE COPY

DYNORUN.005 2001 Expedition XLT

Zoomers

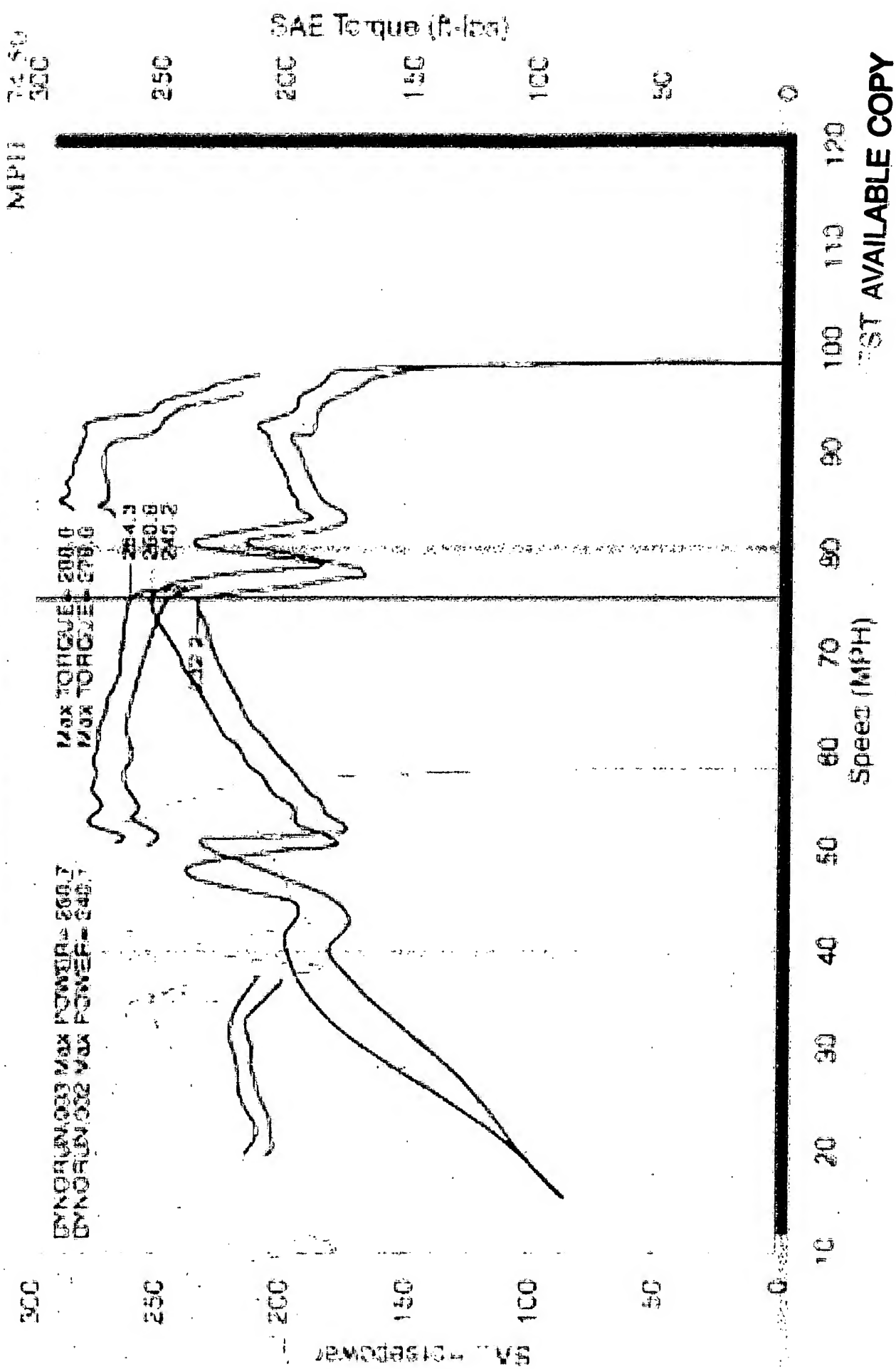
10/28/03 12:29:44 PM

DYNORUN.004 2001 Expedition XLT

StockRO 10/17/03 11:55:48 AM

DYNORUN\_003 2003 Chevy Avalance Zoomers 10/17/03 12:43:20 PM  
 DYNORUN\_002 2003 Chevy Avalance Stock 10/09/03 11:40:38 PM

**EvoSport - 714.731.6040**



DYNORUN\_003 2003 Chevy Avalance Zoomers 10/17/03 12:43:20 PM  
 DYNORUN\_002 2003 Chevy Avalance Stock 10/09/03 11:40:38 PM

2004 DODGE RAM 1500 HEMI MAGNUM  
DYNORUN007 / zoomers exhaustRO 7/26/2004 9:44:26 AM  
DYNORUN002 / stock baseline 7/8/2004 9:49:24 AM

XS Engineering, Inc.

MPH 719

300

DYNORUN 007 Max POWER=266.9

DYNORUN 002 Max POWER=248.5

266.9

250

248.5

200

150

100

50

0

SAE Horsepower

BEST AVAILABLE COPY

0

10

20

30

40

50

60

70

80

90

100

110

120

Speed (MPH)



2004 DODGE RAM 1500 HEMI MAGNUM

DYNORUN007 zoomers exhaustro 7/26/2004 9:44:26 AM

DYNORUN002 stock baseline 7/8/2004 9:49:24 AM

XS Engineering, Inc.

RPM 3.8

DYNORUN007 MAX TORQUE - 291.2  
DYNORUN002 MAX TORQUE - 272.6

291.2

272.6

SAE Torque (ft-lbs)

DESIGN AVAILABLE COPY

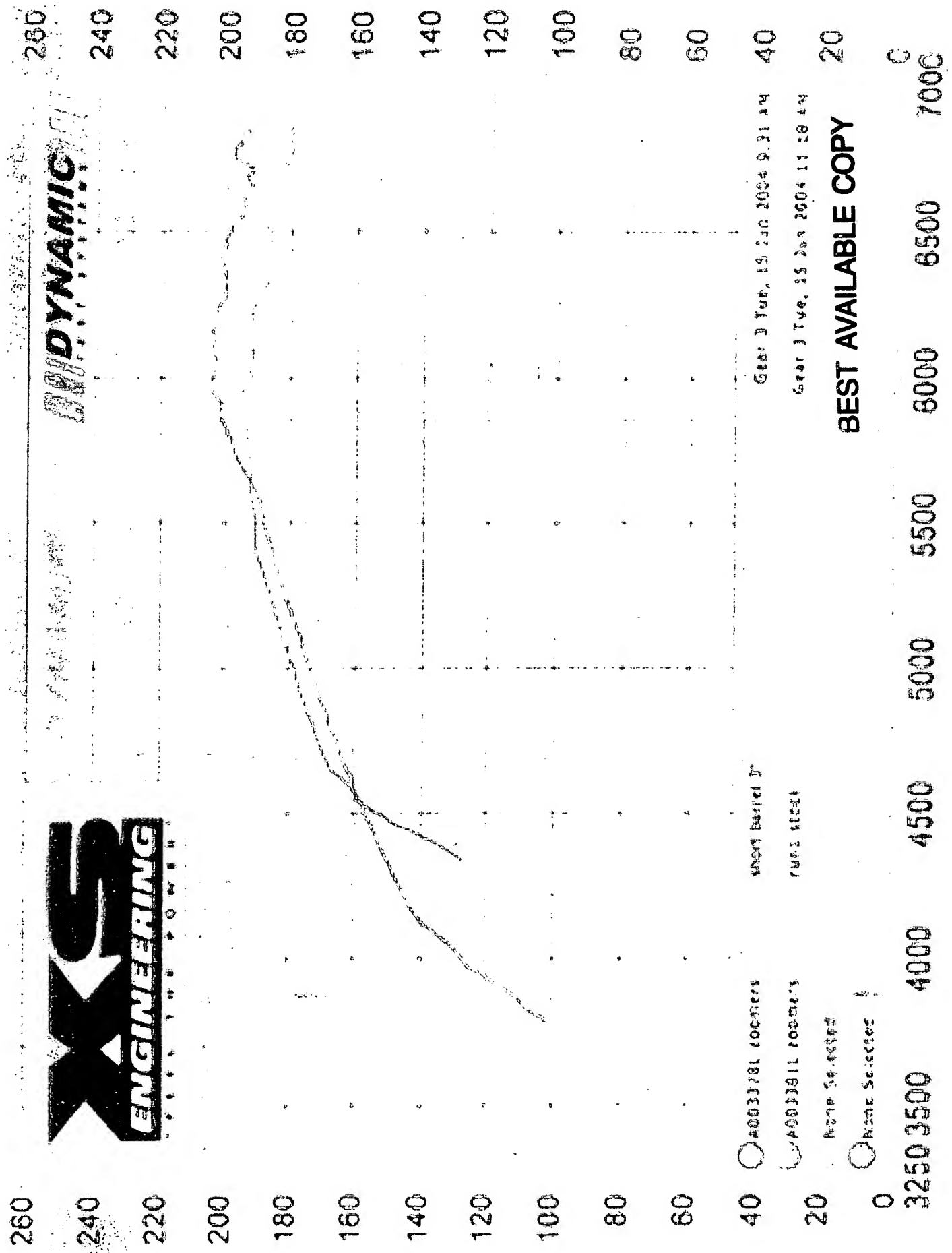
3.7 3.8 3.9 4.0 4.1 4.2 4.3 4.4 4.5 4.6 4.7 4.8  
RPM (x1000)

POWER AT WHEELS

ATMOSPHERIC CORRECTION APPLIED YES



DYNAMIC



POWER hp

ENGINE RPM

- ☐ A0033181 100mm's
- ☐ A0033181 100mm's
- ☐ None Selected

Test 3 Tue, 15 Jan 2004 9:31 AM  
Test 3 Tue, 15 Jan 2004 11:18 AM

BEST AVAILABLE COPY

**BOB BURLESON, CPA & ASSOCIATES**

AN ACCOUNTANCY CORPORATION

33161 CAMINO CAPISTRANO, SUITE B  
SAN JUAN CAPISTRANO, CALIFORNIA 92675  
OFFICE (949) 489 - 1120  
FAX (949) 489 - 1121

November 22, 2004

Mr. Michael Hurley  
General Manager  
15791 Rockfield Blvd. Ste J  
Irvine, CA 92618

Dear Mr. Hurley,

I am writing this letter in response to my experience with Zoomers Exhaust that was installed on three of my vehicles. Having purchased many of my vehicles from Weseloh Chevrolet I was excited to hear that Bill Talley, the General Sales Manager was pre-loading Zoomers Exhaust on their Chevy Avalanche/Tahoe/Suburban and Hummer vehicles.

I had the opportunity to experience first hand the substantial increased horsepower, torque and fuel economy. During my last trip from Orange County to my home in Montana I was able to pick up more than 2 ½ miles per gallon on my Dodge RAM 2500 Diesel Truck at speeds in excess of 75mph.

The throttle response and performance increase on my Chevy Avalanche and Suburban is unprecedented.

Thank you for enhancing my driving experience and helping save money at the pump.

Best regards,

  
Bob Burleson, CPA



## Huntington Beach Dodge

November 22, 2004

Mr. Ron Arlasky  
Sales Director  
15791 Rockfield Blvd. Ste J  
Irvine, CA 92618

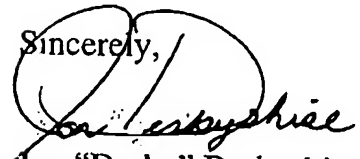
Dear Ron,

We're excited about the opportunity to expand our aftermarket program at Huntington Beach Dodge with Zoomers Exhaust. The system you installed on my Dodge Durango demo vehicle was recently put to the test as I cruised up to the Sierra's for the Thanksgiving holiday with my daughter.

I set the trip computer to check fuel mileage and although it took us about 7 hours with traffic, I was very surprised to see 22.5 mpg. During the return trip, the weather was bad with snow and ice and I could only go about 40 mph for the first 200 miles. It took us 9-1/2 hours to get back and the truck was still getting over 20 mpg.

I showed the guys in service when I returned on Monday and they couldn't believe I got over 20 mpg in a Durango to a trip to the mountains in bad weather. What a great selling tool for your exhaust system... better gas mileage, performance and a great sound.

Sincerely,

  
Jon "Derby" Derbyshire  
Service Manager  
Huntington Beach Dodge



October 28, 2003

Frank Arlasky  
Arlasky Performance Inc.  
12 Pierremont  
Aliso Viejo, CA 92656

Dear Frank:

From working in this industry for over 10 years, I have seen many exhaust systems and most are full of promises, but fall short when the performance numbers hit the dyno.

Needless to say I was a little more then skeptical when you took my 2002 Chevrolet Tahoe to install your Zoomers exhaust system. Even after the truck was returned, I did not notice any difference in performance. However, as promised this truck started to come alive after about a week of driving.

After you took the truck for the dyno runs and proved that the truck gained 10 hp and close to that on the torque curve, which is over a so called performance exhaust system, I was truly impressed!

Sound, performance and good looks... sounds like a winner to me.

Thanks for such a great product.

Sincerely,

Chad Heath  
Manager - DIFM Business Development

17291 Macmillan Court - Irvine, California 92614  
Phone (800) 654-8073 or (949) 752-4000 • Fax (949) 752-5784 • Customer Service Fax (949) 833-8816

EXHIBIT G